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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/734,041
	Filing Date	December 11, 2003
	First Named Inventor	Lukas Eisermann, et al.
	Art Unit	3733
	Examiner Name	David C. Comstock
Total Number of Pages in This Submission	Attorney Docket Number	MSDI-222/PC765.00

ENCLOSURES (Check all that apply)		
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Firm Name	Krieg DeVault LLP		
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:  
Eisermann et al.

Serial No.: 10/734,041

Filed: December 11, 2003

EXPANDABLE INTERVERTEBRAL  
IMPLANT

) Before the Examiner:  
) David C. Comstock  
)

) Group Art Unit: 3733  
)

) Attorney Docket: MSDI-222/  
) PC765.00  
)

) February 15, 2007  
)

**RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121**

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